



**COUNTY OF HUMBOLDT  
PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION**

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Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: March 2, 2017

To: Humboldt County Planning Commission

From: John H. Ford, Director

Subject: **MERCER FRASER COMPANY Coastal Development Permit and Conditional Use Permit**  
Application Number 13404  
Case Numbers CDP-17-001 and CUP-17-004  
Assessor Parcel Numbers 517-155-007 and 517-155-008  
Big Lagoon Area

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Please contact Michael Wheeler, Senior Planner, at 268-3730 or [mwheeler@co.humboldt.ca.us](mailto:mwheeler@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
March 2, 2017	Coastal Development Permit and Conditional Use Permit	Michael Wheeler

**Project Description:** The applicant requests a Coastal Development Permit and Conditional Use Permit for siting a temporary portable asphalt plant on property owned by Green Diamond Company near Big Lagoon in support of a regionally important Caltrans construction project on Highway 101. The proposed location is industrially zoned and has historically been used for heavy industrial activities, including a lumber mill site. The asphalt plant and ancillary equipment includes storage bins, storage piles, and will involve support vehicles such as a loader, water truck, and material transport haul trucks. A one year permit is requested from March 2017 to March 2018 to facilitate completion of the Caltrans paving project within the construction schedule.

**Project Location:** The project is located in Humboldt County, in the Big Lagoon area, on the east side of US Highway 101, approximately 1.44 miles southeast from the intersection of US Highway 101 and LP Mill Road, on the properties known as 109465 St Hwy 101 and known to be in the SE 1/4 of Section 19 Township 09N Range 01E.

**Present Plan Land Use Designations:** Heavy Industrial (MH), North Coast Area Plan (NCAP)

**Present Zoning:** (MG/F,R) Industrial General (MG), Flood Hazard Areas (F), Streams and Riparian Corridor Protection (R)

**Case Numbers:** CDP 17-001, CUP 17-004

**Application Number:** 13404

**Assessor Parcel Numbers:** 517-155-007-000, 517-155-008-000

**Applicant**

Mercer Fraser Co  
Mark Benzinger  
200 Dinsmore Drive  
Fortuna, CA 95540

**Owner**

California Redwood Company CR  
DBA Big Lagoon Sawmill  
PO Box 1089  
Arcata, CA 95518

**Agent**

None

**Environmental Review:** Yes

**State Appeal Status:** Project is appealable to the California Coastal Commission

**Major Issues:** None

## MERCER FRASER COMPANY COASTAL DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT

Case Numbers CDP-17-001 and CUP-17-004

Assessor Parcel Numbers 517-155-007-000, 517-155-008-000

### Recommended Planning Commission Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

*Move that Humboldt County, as Lead Agency, adopt the Mitigated Negative Declaration and exercising independent judgement finds the project's impacts are adequately addressed and to make all of the required findings for approval of the Coastal Development Permit and Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed Mercer Fraser Big Lagoon project subject to the recommended conditions.*

### EXECUTIVE SUMMARY

The applicant requests a Coastal Development Permit and Conditional Use Permit for siting a temporary portable asphalt plant on property owned by Green Diamond Company near Big Lagoon in support of a regionally important Caltrans construction project on Highway 101. The proposed location is industrially zoned and has historically been used for heavy industrial activities, including a lumber mill site. The asphalt plant and ancillary equipment includes storage bins, storage piles, and will involve support vehicles such as a loader, water truck, and material transport haul trucks. A one year permit is requested from March 2017 to March 2018 to facilitate completion of the Caltrans paving project within the construction schedule. Construction is estimated to take about 48 working days and be completed before the winter season.

**ALTERNATIVES:** 1) The Planning Commission could elect to add or delete conditions of approval; 2) The Planning Commission could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF HUMBOLDT**  
**Resolution Number 17-\_\_\_\_**

**Case Numbers CDP-17-001 and CUP-17-004**  
**Assessor Parcel Numbers 517-155-007, 517-155-008**

**Makes the required findings for certifying compliance with the California Environmental Quality Act and conditionally approves the Department of Transportation's (Caltrans) Coastal Development Permit and Special Permit request.**

**WHEREAS**, the Mercer Fraser Company submitted an application and evidence in support of approving a Coastal Development Permit and Conditional Use Permit for temporarily siting an asphalt batch plant on an industrial property in the Big Lagoon area; and

**WHEREAS**, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

**WHEREAS**, the project is subject to environmental review pursuant to of the California Environmental Quality Act (CEQA); and

**WHEREAS**, Humboldt County Planning, as the Lead Agency, prepared and circulated a draft Mitigated Negative Declaration on January 25, 2017;

**WHEREAS**, no agencies provided comments or recommendation on the circulated draft Mitigated Negative Declaration ; and

**WHEREAS**, the County of Humboldt, as Lead Agency pursuant to Section 15381 CEQA Guidelines, has considered the environmental effects of the project as shown and described in the draft Mitigated Negative Declaration in Attachment 5; and

**WHEREAS**, the County of Humboldt has determined that the draft Mitigated Negative Declaration in Attachment 5 adequately addresses the project's impacts based on the independent judgment of the County of Humboldt; and

**WHEREAS**, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the proposed Coastal Development Permit and Conditional Use Permit.

**NOW, THEREFORE**, be it resolved, determined, and ordered by Zoning Administrator that:

1. Pursuant to Section 15096 of the CEQA Guidelines, the Planning Commission has considered the Draft Mitigated Negative Declaration in Attachment 5, and exercising independent judgement finds the project's impacts are adequately addressed; and
2. The Planning Commission makes the findings in Attachment 2 of the Planning Division staff report for Case Numbers CDP17-001 and CUP-17-004, based on the submitted evidence; and
3. The Planning Commission conditionally approves the proposed Conditional Use Permit as recommended in the Planning Division staff report for Case Numbers CDP-17-001, CUP-17-004.

Adopted after review and consideration of all the evidence on March 2, 2017.

The motion was made by Commissioner \_\_\_\_ and seconded by Commissioner \_\_\_\_.

AYES: Commissioners:

NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

DECISION:

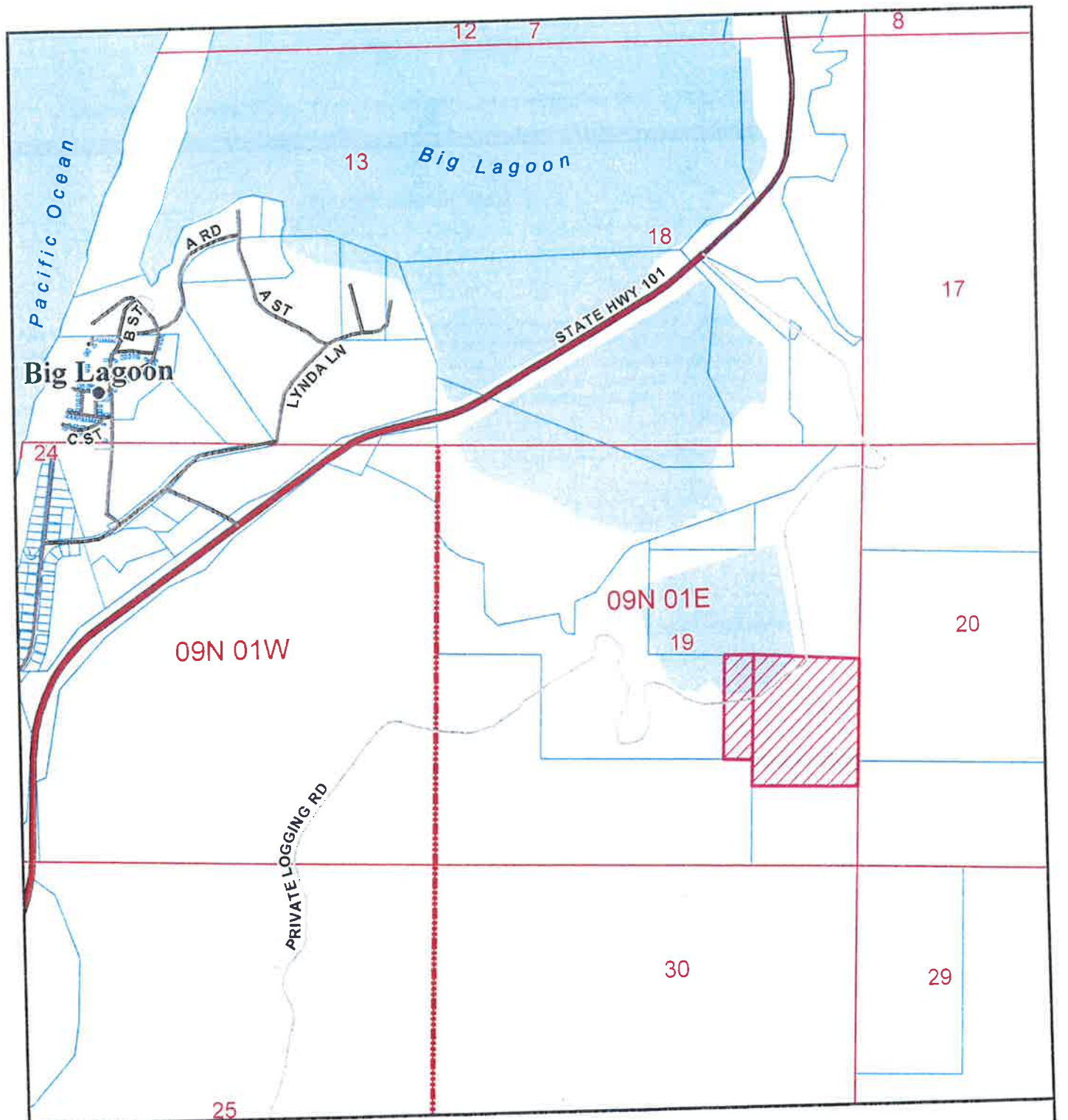
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Robert Morris, Chair

I, Suzanne Lippre, Clerk to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above entitled matter by said Commission at a meeting held on the date noted above.

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Suzanne Lippre, Clerk



# LOCATION MAP

PROPOSED MERCER-FRASER COMPANY  
COASTAL DEVELOPMENT PERMIT &  
CONDITIONAL USE PERMIT

BIG LAGOON AREA

CDP-17-001/CUP-17-004

APN: 517-155-007, -008

T09N R01E S19 HB&M (Rodgers Peak)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



0 0.25 Miles





# **AERIAL MAP**

**PROPOSED MERCER-FRASER COMPANY  
COASTAL DEVELOPMENT PERMIT &  
CONDITIONAL USE PERMIT**

**BIG LAGOON AREA  
CDP-17-001/CUP-17-004**

**APN: 517-155-007, -008**

**T09N R01E S19 HB&M (Rodgers Peak)**

**Project Area =** 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



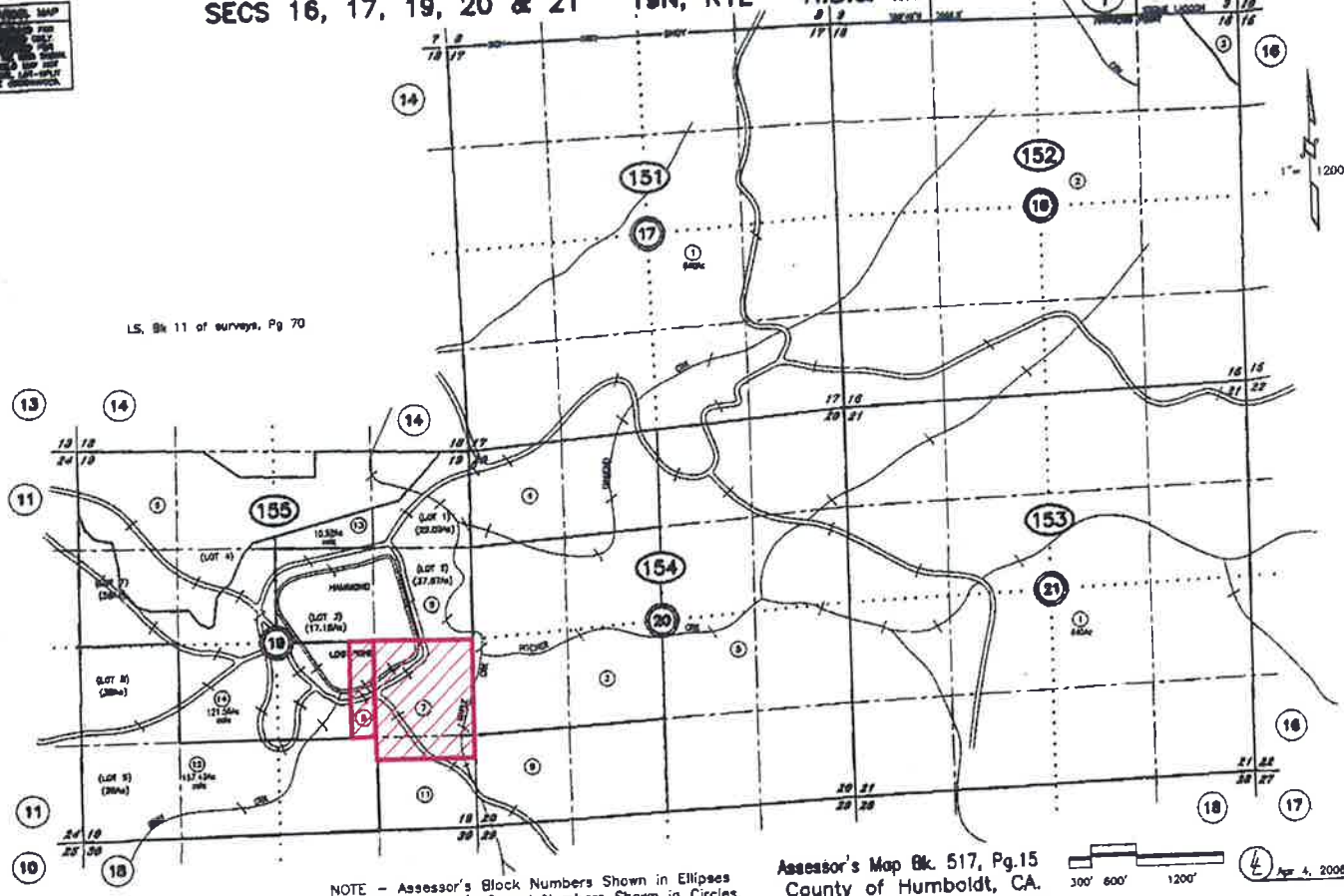
0 500 1,000  
Feet



ASSASSOR'S MAP  
 FOR THE  
 PROPOSED  
 COASTAL DEVELOPMENT  
 PERMIT & CONDITIONAL  
 USE PERMIT  
 BIG LAGOON AREA  
 CDP-17-001/CUP-17-004  
 APN: 517-155-007, -008  
 T09N R01E S19 HB&M (Rodgers Peak)

SECS 16, 17, 19, 20 & 21 T9N, R1E H.B. & M.

517-15



# ASSESSOR PARCEL MAP

PROPOSED MERCER-FRASER COMPANY  
 COASTAL DEVELOPMENT PERMIT &  
 CONDITIONAL USE PERMIT

Project Area = 

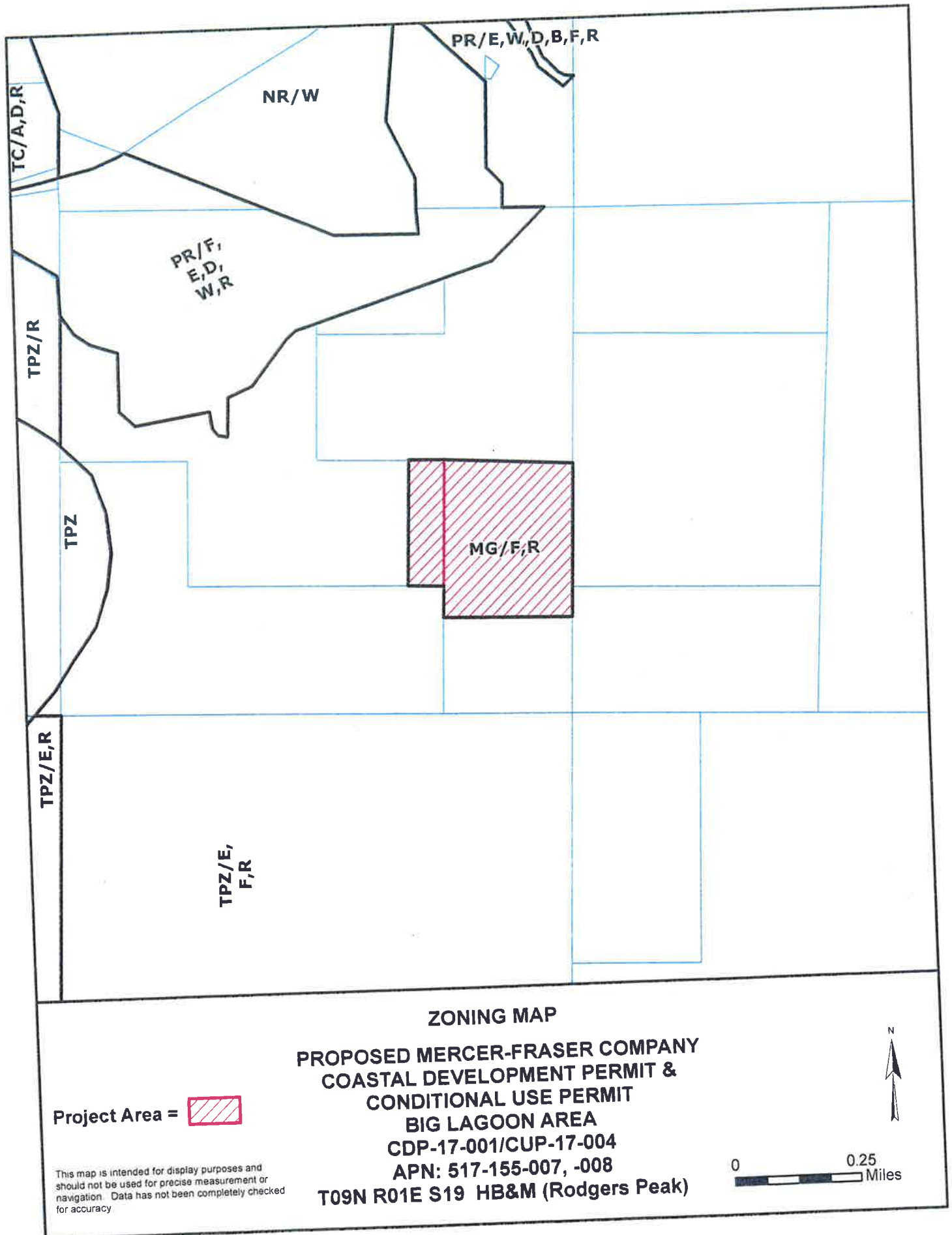
BIG LAGOON AREA  
 CDP-17-001/CUP-17-004  
 APN: 517-155-007, -008

T09N R01E S19 HB&M (Rodgers Peak)

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 for accuracy.

MAP NOT TO SCALE



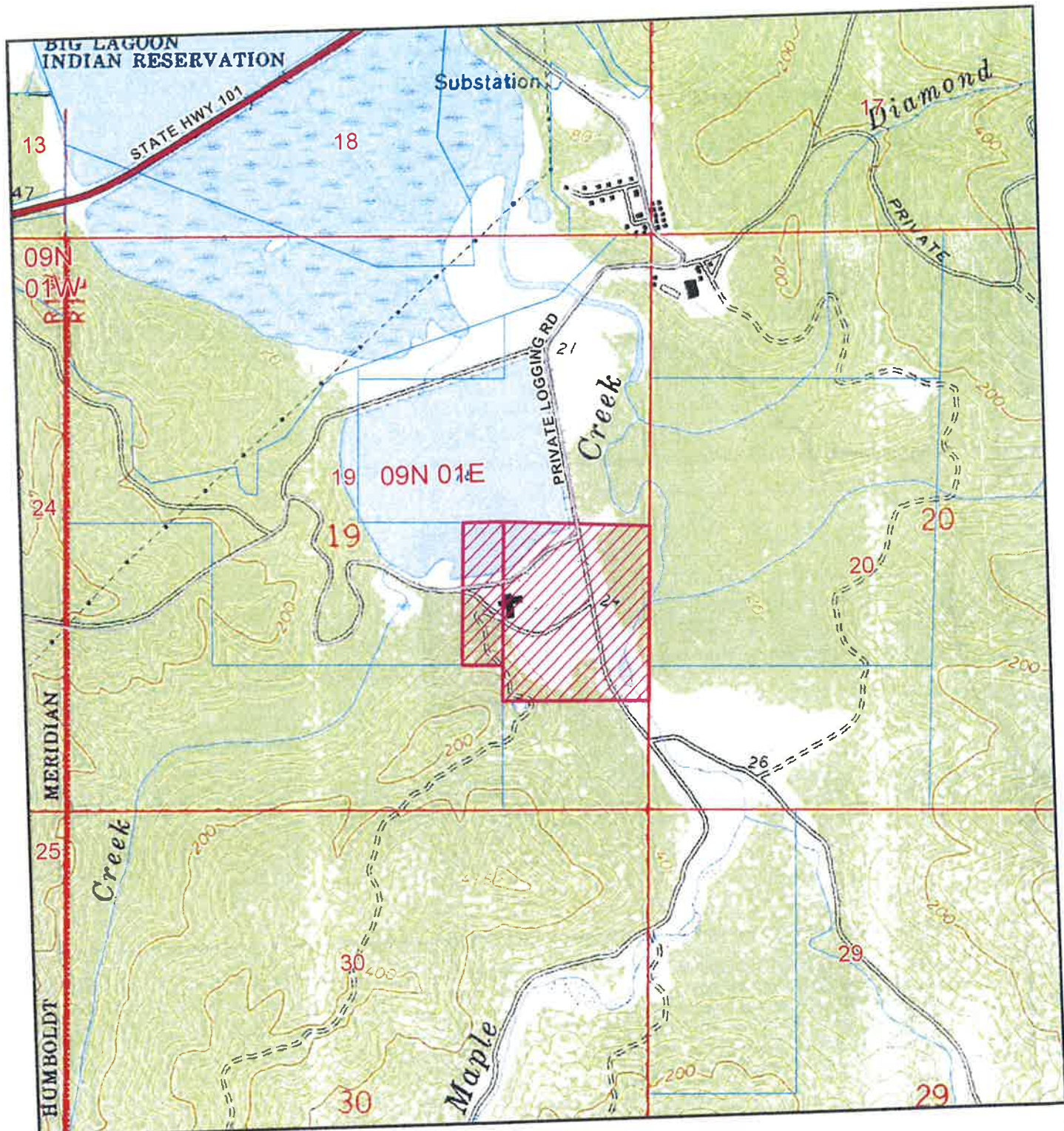


**ZONING MAP**

**PROPOSED MERCER-FRASER COMPANY  
COASTAL DEVELOPMENT PERMIT &  
CONDITIONAL USE PERMIT  
BIG LAGOON AREA  
CDP-17-001/CUP-17-004  
APN: 517-155-007, -008  
T09N R01E S19 HB&M (Rodgers Peak)**

**Project Area =** 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



# TOPO MAP

PROPOSED MERCER-FRASER COMPANY  
COASTAL DEVELOPMENT PERMIT &  
CONDITIONAL USE PERMIT

BIG LAGOON AREA

CDP-17-001/CUP-17-004

APN: 517-155-007, -008

T09N R01E S19 HB&M (Rodgers Peak)

Project Area = 

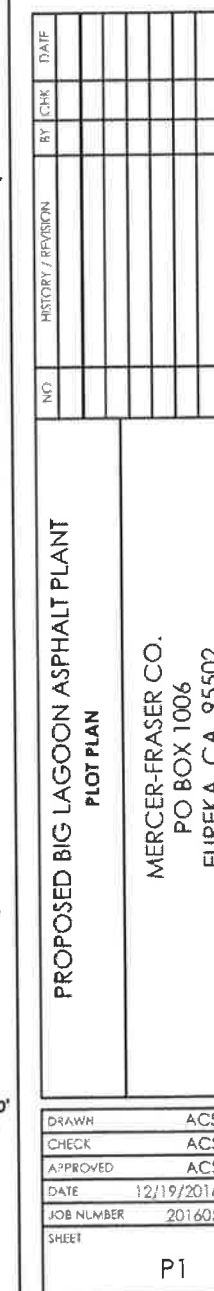
This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy



0 0.25 Miles



APN 517-115-007 & 517-115-008



## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE COASTAL DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT IS CONDITIONED UPON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE FULFILLED BEFORE THE USE MAY BE INITIATED:

1. The work shall be conducted in accordance with the Project Description, the Plan of Operations, and the Mitigated Negative Declaration (Attachments 4 and 5) for the duration of the permit.
2. Changes in the project other than Minor Deviations from the Plot Plan as provided in HCC Section 312-11.1 shall require a modification of this permit.
3. All mitigation measures identified within the Mitigated Negative Declaration shall be incorporated and implemented during project construction.
4. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Department will provide a bill to the applicant after the decision. Any and all outstanding Planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
5. **Prior to hearing:** An environmental filing fee of \$2,216.25 plus \$50 recording fee for the California Department of Fish and Game must be submitted to Humboldt County Planning Department per Section 753.5, *Collection of Filing Fees*, California Code of Regulations.

#### Ongoing Requirements/Development Restrictions which Must be Satisfied for the Life of the Project:

1. The project shall be conducted in accordance with the project description, the plan of operations and approved project site plan.

#### Informational Notes:

1. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.
2. The applicant is responsible for receiving all necessary permits and/or approvals from other federal, state and local agencies.
3. The Coastal Development Permit and Conditional Use Permit shall expire and become null and void at the expiration of one (1) years after all appeal periods have lapsed (see "Effective Date"); except where use in reliance on the permit has commenced prior to such anniversary date. The period within which use must be commenced may be extended as provided by Section 312-11.3 of the Humboldt County Code.
4. NEW DEVELOPMENT TO REQUIRE PERMIT. Any new development as defined by Section 313-139.6 of the Humboldt County Code (H.C.C.), shall require a Coastal Development Permit modification, except for Minor Deviations from the Plot Plan as provided under Section 312-11.1 of the Zoning Regulations.



## ATTACHMENT 2

### STAFF ANALYSIS OF THE EVIDENCE SUPPORTING THE REQUIRED FINDINGS

**Required Findings:** To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

The Coastal Zoning Ordinance, Section 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specifies the findings that are required to grant a Conditional Use Permit:

1. The proposed development is in conformance with the County General Plan;
2. The proposed development is consistent with the purposes of the existing zone in which the site is located;
3. The proposed development conforms with all applicable standards and requirements of these regulations; and
4. The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare; or materially injurious to property or improvements in the vicinity.
5. The Appendix to Title III, Division 1 of the H.C.C. specifies that in addition to the required findings specified in Title III, Division 1 of the H.C.C., the Hearing Officer may approve or conditionally approve an application for a Coastal Development Permit only if the following Supplemental Findings are made:
  - 312-39.4 Coastal Streams and Riparian Areas:
    - 39.4.1 There are no significant adverse effects on habitat areas;
    - 39.4.2 There is no less environmentally damaging feasible alternative; and
    - 39.4.3 The best mitigation measures feasible have been provided to minimize adverse environmental effects.
  - 312-39.8 Coastal Natural Drainage Courses.
    - 39.8.1 Natural drainage courses, including ephemeral streams, will be retained and protected from development which would impede the natural drainage pattern or have a significant adverse effect on water quality or wildlife habitat.
  - 312-39.14 Coastal Wetlands, All wetlands, with the exception of Pocket Marshes:
    - 39.14.1.1 There is no less environmentally damaging feasible alternative;
    - 39.14.1.2 The best mitigation measures feasible have been provided to minimize adverse environmental effects; and
    - 39.14.1.3 The required mitigation will maintain or enhance the functional capacity of the wetland or estuary.
6. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation), unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.

7. **Environmental Review:** Pursuant to the California Environmental Quality Act (CEQA) as codified in Public Resources Code (PRC) §21000 *et seq.* and California Code of Regulations (CCR) §15000 *et seq.*, one of the following findings must be made prior to the approval of any development subject to CEQA:
- A. The project is categorically or statutorily exempted; or
  - B. There is no substantial evidence that the project will have a significant effect on the environment and a Negative Declaration has been prepared; or
  - C. The project has had an Environmental Impact Report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in CCR §15091 (statement of overriding considerations) have been made.

To approve this project, the Hearing Officer must determine that the applicant has submitted evidence in support of making **all** of the following required findings.

**1. The proposed development must be consistent with the General Plan.** The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards of the Humboldt Bay Area Plan (HBAP) and the Framework General Plan.

<b>Plan Section(s) and Summary of Applicable Goal</b>	<b>Evidence which supports Making the General Plan Conformance Finding</b>
NCAP Rural Plan Designations § 5.30: Heavy Industrial. To protect sites suitable of heavy industrial uses.	The project site is a former mill site and the proposed use is industrial in nature. Based on the above, the project as proposed is consistent with the land use designations of the NCAP.
Urban Limits §3.21 NCAP New development shall be located within existing developed areas or in areas with adequate public services.	The project proposes only the temporary siting of a portable asphalt batch plant on an industrial property which previously was developed with a lumber mill.
Hazards §3.26 NCAP New development shall minimize risks to life and property and assure stability and structural integrity of the natural landforms found on-site.	<p>The project site is located in an area of high geologic instability: Highway 101 north of Big Lagoon is built on geologically unstable uplifted unconsolidated marine sediments. The project is in response to slope failures that are impacting the southbound lane of Highway 101. The project employs Best Management Practices including erosion controls measures to minimize erosion and sedimentation.</p> <p>The project site is located in an area of nil fire hazard severity. The project is not expected to result in an increase exposure of people or property to fire hazards as it is for the temporary siting of an asphalt batch plant.</p> <p>While potential tsunami inundation is a hazard affecting the site given the close proximity to the Big Lagoon, In the long term the project is not expected increase the exposure of people or property to tsunami hazards because the project 1) will only temporarily site an asphalt batch plant to support CalTrans road repaving; 2) will not increase the service capacity of the existing road; and 3) does not entail residential development that would increase density.</p> <p>The project as proposed and mitigated minimizes risks to life and property as well as maintains access to the rural, northern part of the county.</p>
Archaeological and Paleontological Resources §3.27 NCAP Protect cultural, archeological and paleontological resources.	The project site is in the within the territory of the Yurok. The County referred the project to the Yurok Tribe, and no comments were received.

<p>Resource Protection, Environmentally Sensitive Habitat Areas, §§3.40, 3.41, 3.41(F) NCAP</p> <p>Protect designated sensitive and critical resource habitats. Incidental public services allowed when there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects.</p>	<p>The proposed project will be sited in a paved area of a former mill site and does not include any environmentally sensitive habitat areas.</p>
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<p>Visual Resource Protection §3.42 et seq. NCAP</p> <p>Physical Scale and Visual Compatibility: No development shall be approved that is not compatible with the physical scale of development as designated in the zoning for the subject parcel</p>	<p>The project site is a former mill site and is removed and shielded from public roads by existing vegetation. No permanent development is proposed, and the temporary asphalt batch plant would be similar in scale to the previous lumber mill development. The subject parcel is zoned for Industrial General uses.</p>
<p>Visual Resource Protection §3.42 et seq. NCAP</p> <p>Protection of Natural Landforms: Natural contours, including slope, visible contours of hilltops and treelines, bluffs and rock outcroppings, shall suffer the minimum feasible disturbance compatible with development of any permitted use.</p>	<p>The proposed project would not affect any natural landforms, involve any grading and would not affect visible contours of hilltops and tree lines. The project site is not located near bluffs or rock outcroppings.</p>
<p>Visual Resource Protection §3.42 et seq. NCAP</p> <p>Coastal Scenic Areas: the intent of these regulations that all development be subordinate to the character of the designated area, and to the scenic use and enjoyment of public recreational lands within these areas. New industrial and public facility development shall be limited to temporary storage of materials and equipment for the purpose of road and utility repair or improvement provided that this is necessary to the repair or improvement, and no feasible site for storage of equipment or material is available outside such area.</p>	<p>The project is limited to temporary storage of materials and equipment for the purpose of road maintenance and repair.</p>
<p>Visual Resource Protection §3.42 et seq. NCAP</p> <p>Coastal View Areas: the intent of these regulations that no development shall block coastal views to the detriment of the public; and the following uniform standards and conditions shall apply to all development other than agricultural development and timberland management subject to CDF requirements for special treatment areas in said areas.</p>	<p>The project does not involve Calfire regulated timber management. The project site is a paved former mill site, and the proposed use is temporary. Following completion of the project, all equipment and stockpiles will be removed.</p>

Public Access §3.50 NCAP

New development shall maintain and where feasible provide new opportunities for public access to the coast consistent with public safety needs, property rights protection, and protection of fragile coastal resources.

The project site does not include any identified public access and is located on private land owned by the Green Diamond Company. Based on the above, the project will not impact coastal access.

2. The proposed development is consistent with the purposes of the existing zone in which the site is located; 3. The proposed development conforms with all applicable standards and requirements of these regulations; and 5. Supplemental Coastal Resource Protection Findings. The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Coastal Zoning Regulations.

all applicable policies and

Zoning Section	Summary of Applicable Requirement	Evidence
Section 313-3.3 Industrial General (MG)	Primary and compatible uses include Industrial Use Types, including heavy industrial.	The Heavy Industrial use type includes industrial plants engaged in the manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products. The proposed temporary use of an asphalt batch plant is a heavy industrial use. Based above analysis, the project as proposed and mitigated is consistent with the permissible uses in the zoning district.
Minimum Lot Size and Lot Width; Maximum Lot Depth; Yard Setbacks	One acre minimum lot size; none specified for lot width, lot depth; setbacks are 50' front and rear and 25' side	Parcel size is 60 acres, and project will meet setback requirements
Structure Height:	Maximum 50 feet	The project will not exceed the specified height limit.
Max. Coverage:	None specified	n/a
<b>Section 313-15 et seq. Combining Zones and Section 312-39 et seq. Supplemental Findings</b>		
313-21.1 Flood Hazard Areas (F) The purpose of these regulations is to minimize public and private losses due to flood and tsunami conditions in specific areas of the County.	While potential tsunami inundation is a hazard affecting the site given the close proximity to the Big Lagoon, In the long term the project is not expected increase the exposure of people or property to tsunami hazards because the project 1) will only temporarily site an asphalt batch plant to support CalTrans road repaving; 2) will not increase the service capacity of the existing road; and 3) does not entail residential development that would increase density.	
313-33.1 Streams and Riparian Corridors Protection (R), 312-39.4 Coastal Streams and Riparian Areas, 312-39.8 Coastal Natural Drainage Courses, 313-38.1 Coastal Wetland Areas (W), and 312-39.14 Coastal Wetlands		

### 313-33.1 Streams and Riparian Corridors Protection

The purpose of these regulations is to provide for the maintenance, enhancement, and, where feasible, restoration of water resources by restricting development, and by minimizing adverse effects of runoff, interference with surface water flow, and alteration of natural streams, and by protecting riparian habitats.

### 312-39.4 Coastal Streams and Riparian Areas

39.4.1 There are no significant adverse effects on habitat areas;

39.4.2 There is no less environmentally damaging feasible alternative; and

39.4.3 The best mitigation measures feasible have been provided to minimize adverse environmental effects.

### 313-38.1 Coastal Wetland Areas (W)

The purpose of these regulations is to provide that any development in coastal wetlands will not degrade the wetland, but will maintain optimum populations of marine or freshwater organisms and, where feasible, will enhance wetland resources.

### 312-39.14 Coastal Wetlands

39.14.1.1 There is no less environmentally damaging feasible alternative;

39.14.1.2 The best mitigation measures feasible have been provided to minimize adverse environmental effects; and

39.14.1.3 The required mitigation will maintain or enhance the functional capacity of the wetland or estuary.

The project involves temporary siting of an asphalt batch plant to support a Caltrans project for repaving existing road infrastructure. The work is the minimum necessary to maintain the function of the highway which is a critical transportation link to the North coast. See the discussion above under Resource Protection, Environmental Sensitive Habitat Areas, §§3.40, 3.41, 3.41(F) NCAP as the requisite findings mirror those of this section. Staff believes the project as proposed and mitigated is consistent with all of the requisite findings.

**4. Public Health, Safety and Welfare, and Environmental Impact:** The following table identifies the evidence which supports finding that the proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity, and will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
§312-17.1.4	Proposed development will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.	All reviewing referral agencies have recommended approved or conditional approval the proposed development. Based on the applicant's submittal, no detrimental effects to public health, safety and welfare have been identified. The proposed development is not expected be detrimental to property values in the vicinity nor pose any kind of public health hazard.



**6. Impact on Residential Density Target:** The following table identifies the evidence which supports finding that the proposed project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
312-17.1.5 Housing Element Densities	The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.	The proposed project will not impact housing element densities as the subject parcels are not zoned or planned for residential development.

**7. Environmental Impact:** The following table identifies the evidence which supports finding that the proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity, and will not adversely impact the environment.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
CEQA §15063	CEQA review required	<p>Please see the attached draft Mitigated Negative Declaration.</p> <p>As required by the California Environmental Quality Act, the initial study conducted by the Department of Planning and Building, Planning Division (Attachment 4) evaluated the project for any adverse effects on the environment. Based on a site inspection, information in the application, and a review of relevant references in the Department, staff has determined that there is no evidence before the Department that the project will have any potential adverse effect, either individually or cumulatively, on the environment. The environmental document on file in the Department includes a detailed discussion of all relevant environmental issues.</p>

### ATTACHMENT 3

#### REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Attached	On File
County Building Inspection Division	✓	Approval		✓
County Department of Public Works	✓	Project has no direct effect on DPW facilities		✓
California Coastal Commission	✓	Project is appealable to CCC		✓
California Department of Fish and Wildlife				
State Parks				
County Division of Environmental Health	✓	Conditional Approval		✓
Calfire	✓	Standard comments		✓
Regional Water Quality Control Board				
Yurok Tribe				

## **ATTACHMENT 4**

### **APPLICANT'S EVIDENCE IN SUPPORT OF THE REQUIRED FINDINGS**

Attachment 2 includes a listing of all written evidence that has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division unless otherwise noted:

- a) Application Form (in file)
- b) Plot Plan/Tentative Map Checklist (in file)
- c) Detailed Plot Plan (attached with maps)
- d) Plan of Operations
- e) Grant Deed (in file)
- f) Environmental Assessment (in file)

## Plan of Operation



**Big Lagoon Temporary Asphalt Concrete Plant  
Plan of Operation Report  
December 9, 2016**

**1. Project Description**

**a. Proposed Use(s)**

- i. Mercer-Fraser Company ("MF") is proposing to install and operate a temporary, portable asphalt plant on property owned by Green Diamond Resource Company ("Green Diamond") near Big Lagoon in Trinidad, California ("Project"). The Project area is comprised of portions of APN 517-155-007 and 517-155-008, and is identified by a physical address of 109465 State Hwy. 101, Trinidad, CA 95570. The Project area is zoned Industrial General with a General Plan Designation of Industrial, and was historically used by Green Diamond (and its predecessors) as a mill site.

The Project is being proposed in support of a regionally important CalTrans construction project on nearby State Highway 101. The asphalt plant and ancillary equipment will include storage bins, conveyors, asphalt oil storage tanks, drying/mixing drum, storage silos, rubber plant, and an electricity generator. The plant site includes aggregate storage piles, and will involve support vehicles such as a loader, water truck, and material transport haul trucks.

**b. Hours and Days of Operation**

- i. Normal hours of operations are proposed between 5:00 am and 9:00 pm Monday through Saturday; however, the plant will require flexibility to operate 24-hours per day, seven days per week to service the CalTrans construction project. *Note: Caltrans often requires nighttime operations to prevent traffic congestion associated with lane closures and heavy vehicle operations.*

**c. Number of Employees**

- i. Plant operations will typically involve 2-4 on-site employees.

**d. Length of Project**

- i. A one year permit is being requested (from March 2017 to March 2018) to facilitate completion of the CalTrans paving project within the construction schedule.

## **2. Project Byproducts**

### **a. Description of Byproducts and Methods of Disposal**

- i. Refuse: Any incidental refuse or garbage will be hauled off-site and disposed of in accordance with local and state standards.
- ii. Used equipment: Used equipment such as heavy equipment parts, conveyor belts, tires and other replacement or extra equipment pieces will be kept within a designated area for reuse or recycling. Used parts potentially containing petroleum products (i.e., lubricants, hydraulic oil, etc.) will be stored using Best Management Practices to prevent contamination of soil or storm water runoff.
- iii. Domestic sewage: Portable toilets would be used and maintained by a pumping service licensed in Humboldt County.
- iv. Used oil/antifreeze: Used petroleum products and antifreeze will be managed in accordance with applicable local, State, and Federal regulations, and will be picked up by approved haulers for recycling and/or disposal.

## **3. Potential Discharge**

### **a. Air Emissions from Asphalt Plant**

- i. Mercer-Fraser will obtain authority to construct and permit to operate permits from the MCAQMD, and operate in accordance with federal, state, and local air quality regulations pertaining to air quality control standards and regional air quality plans. The air quality permits will include appropriate controls, operating conditions, monitoring and reporting requirements to ensure compliance with these regulations.
- ii. See accompanying Initial Study for an estimate of air quality emissions associated with the Project.

### **b. Fugitive Dust**

- i. A water truck will be utilized at the site and water will be applied to unpaved portions of internal haul roads and working areas as frequently as necessary to prevent fugitive dust emissions. The number of daily applications of water varies depending on factors such as temperature and wind conditions.

### **c. Storm Water:**

- i. Mercer-Fraser will comply with the National Pollutant Discharge Elimination System General Permit for Discharges of Storm Water Associated with Industrial Activities ("NPDES General Permit"). The NPDES General Permit is

administered by the North Coast Regional Water Quality Control Board (“NCRWQCB”) and involves preparation and implementation of a Storm Water Pollution Prevention Plan, including Best Management Practices to control erosion, sediment, and pollutant discharge.

**d. Spills and Leaks**

- i. Mercer-Fraser will adhere to the requirements of a Hazardous Materials Business Plan (“HMBP”), designed to prevent the occurrence of spills, prevent spills from entering the environment, and establishes procedures to respond to, report, contain, and clean up spills, should they occur.

**4. Noise**

**a. Noise Environment and Potential Impacts from Project**

- i. No residences are located within the vicinity of the project (with the exception of abandoned former employee housing ~4,000 feet to the northeast), and the Project area is located within a private land holding of Green Diamond that is actively used for timber production. The Project site is a significant distance from nearby recreation areas (~2,500 feet away), and separated by substantial natural screening and features. The predominant noise feature impacting the recreation areas is traffic noise from State Highway 101, which would not change with implementation of the Project. Construction vibration levels resulting from equipment used in similar projects have been found to not be perceptible to receivers beyond 300 feet from the Project site. As the nearest potential receptors would be located over 2,500 feet from any on-site equipment activities, the proposed Project would not generate significant levels of vibration at any nearby receivers. Finally, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature. Overall, no exposure of persons or generation of noise levels in excess of standards, nor a substantial temporary, periodic, or permanent increase in ambient noise levels in the project vicinity above existing levels would occur as a result of the proposed project.

**5. Project’s Use of Public Facilities**

**a. Roads**

- i. Primary access to the Project area will occur via an existing encroachment directly onto State Highway 101, and existing internal haul roads on Green Diamond property. Project truck trips will involve incoming and outgoing haul trucks containing aggregate and asphalt products. By providing an asphalt plant in close proximity to the project, an overall reduction in regional vehicle miles traveled (VMT) will occur by minimizing the number of trucks required

and haul distance to the job. At a maximum anticipated production of 3,000 tons of asphalt per day, a total of 120 trips (one-way) will occur. The haul roads are designed to accommodate heavy truck traffic, and the level of truck traffic generated by the Project will be consistent with historical variation in production levels from heavy trucks hauling timber from the site. Although the proposed Project would result in a slight increase in the number of daily truck trips associated with the Project site itself, a reduction in regional VMT would be expected to occur as a result of locating the asphalt plant in close proximity to the delivery point. Further, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature.

**b. Water**

- i. Water usage associated with Project activities will be limited to that needed for dust control and will be serviced by water trucks. The Project does not involve groundwater pumping or addition of impervious surfaces. Accordingly, the proposed Project would not deplete groundwater supplies or interfere substantially with groundwater recharge.

**c. Sewer Systems**

- i. On-site portable toilets will be used and maintained by a pumping service licensed in Humboldt County. Therefore, the proposed project would have no impact on wastewater treatment capacity or wastewater treatment requirements.

## Plot Plan





**ATTACHMENT 5**  
**MITIGATED NEGATIVE DECLARATION**

**Temporary Asphalt Plant  
Big Lagoon Mill Site**

**DRAFT MITIGATED NEGATIVE DECLARATION**

**January 2017**

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## ***DRAFT MITIGATED NEGATIVE DECLARATION***

***January 2017***

### **A. BACKGROUND**

1. Project Title: Temporary Asphalt Plant
2. Lead Agency Name and Address: Humboldt County  
Planning and Building Department  
3015 H Street  
Eureka, CA 95501
3. Contact Person and Phone Number: Michael Wheeler  
(707) 445-7541
4. Project Location: 109465 State Hwy. 101  
Trinidad, CA 95570
5. Project Sponsor's Name and Address: Mercer-Fraser Company  
200 Dinsmore Drive  
Fortuna, CA 95540
6. Project Parcel(s): APN 517-155-007, 008
7. General Plan Designation: Industrial (G)
8. Principal Zoning Designation: Industrial General (MG)
9. Combining Zones: Flood Hazard Area (F),  
Streams and Riparian Corridor Protection (R)
10. Project Description Summary:

Mercer-Fraser Company ("MF") is proposing to install and operate a temporary, portable asphalt plant on property owned by Green Diamond Resource Company ("Green Diamond") near Big Lagoon in Trinidad, California ("Project"). The Project area is comprised of portions of APN 517-155-007 and 517-155-008, and is identified by a physical address of 109465 State Hwy. 101, Trinidad, CA 95570. The Project area is zoned Industrial General with a General Plan Designation of Industrial, and was historically used by Green Diamond (and its predecessors) as a mill site.

The Project is being proposed in support of a regionally important California Department of Transportation (“CalTrans”) construction project on nearby State Highway 101. The asphalt plant and ancillary equipment will include storage bins, conveyors, asphalt oil storage tanks, drying/mixing drum, storage silos, and an electricity generator. The plant site includes aggregate storage piles, and will involve support vehicles such as a loader, water truck, and material transport haul trucks. A one year permit is being requested (from March 2017 to March 2018) to facilitate completion of the CalTrans paving project within the construction schedule.

In addition to a Conditional Use Permit/Coastal Development Permit from Humboldt County, the Project will require an air permit to operate from the North Coast Unified Air Quality Management District, and a storm water permit from the North Coast Regional Water Quality Control Board.

## B. SOURCES

The following documents are referenced information sources utilized by this analysis:

1. California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.
2. California Department of Conservation. Regulatory Maps. 2007. Available at: <http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>. Accessed February 26, 2015.
3. Humboldt County. *Humboldt County General Plan Update Draft Environmental Impact Report SCH#2007012089*. April 2, 2012.
4. Humboldt County. *Humboldt County General Plan Update Planning Commission Approved Draft*. March 19, 2012.
5. North Coast Regional Water Quality Control Board. *General Waste Discharge Requirements and Water Quality Certification for Discharges Related to Sand and Gravel Mining, Excavation, and Processing Activities, Including Asphalt and Concrete Operations, on Non-Federal Lands in the North Coast Region*. June 21, 2005.
6. North Coast Unified Air Quality Management District. *Air Quality Planning & CEQA*. Available at: <http://www.ncuaqmd.org/index.php?page=aqplanning.ceqa>.
7. U.S. Department of Transportation Federal Highway Administration. *Construction Noise Handbook*. July 5, 2011. Available at: [http://www.fhwa.dot.gov/environment/noise/construction\\_noise/handbook/handbook09.cfm](http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm).

### C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The proposed Project will not have a significant effect on the environment, as indicated by the checklist on the following pages.

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Aesthetics                              | <input type="checkbox"/> Agriculture Resources       | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources         | <input type="checkbox"/> Cultural Resources          | <input type="checkbox"/> Geology & Soils                               |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions     | <input checked="" type="checkbox"/> Hazards          | <input checked="" type="checkbox"/> Hydrology & Water Quality          |
| <input type="checkbox"/> Land Use                                | <input type="checkbox"/> Mineral Resources           | <input type="checkbox"/> Noise   |
| <input type="checkbox"/> Pop., Employment, & Housing             | <input type="checkbox"/> Public Services             | <input type="checkbox"/> Recreation                                    |
| <input checked="" type="checkbox"/> Transportation & Circulation | <input type="checkbox"/> Utilities & Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

### D. DETERMINATION

On the basis of this initial study:

- ☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Michael Wheeler, Senior Planner



## **E. BACKGROUND AND INTRODUCTION**

This Initial Study/Mitigated Negative Declaration (IS/MND) identifies and analyzes the potential environmental impacts of the proposed Project. The information and analysis presented in this document is organized in accordance with the California Environmental Quality Act (CEQA) checklist in Appendix G of the CEQA Guidelines.

## **F. PROJECT DESCRIPTION**

### **Existing Site Conditions and Surrounding Uses**

The Project is located in northern Humboldt County approximately 7.5 miles north of the town of Trinidad in Humboldt County, California. More specifically, the Project is located east of State Highway 101 at the former Big Lagoon mill site owned by Green Diamond (see Figure 1, Regional Location Map). The Project area encompasses 5± acres of a larger 60± acre property bearing Assessor Parcel Numbers 517-155-007 and 517-155-008. Primary access to the Project area will occur via existing internal access roads off of an existing encroachment off of State Highway 101 (see Figure 2, Site and Vicinity Map).

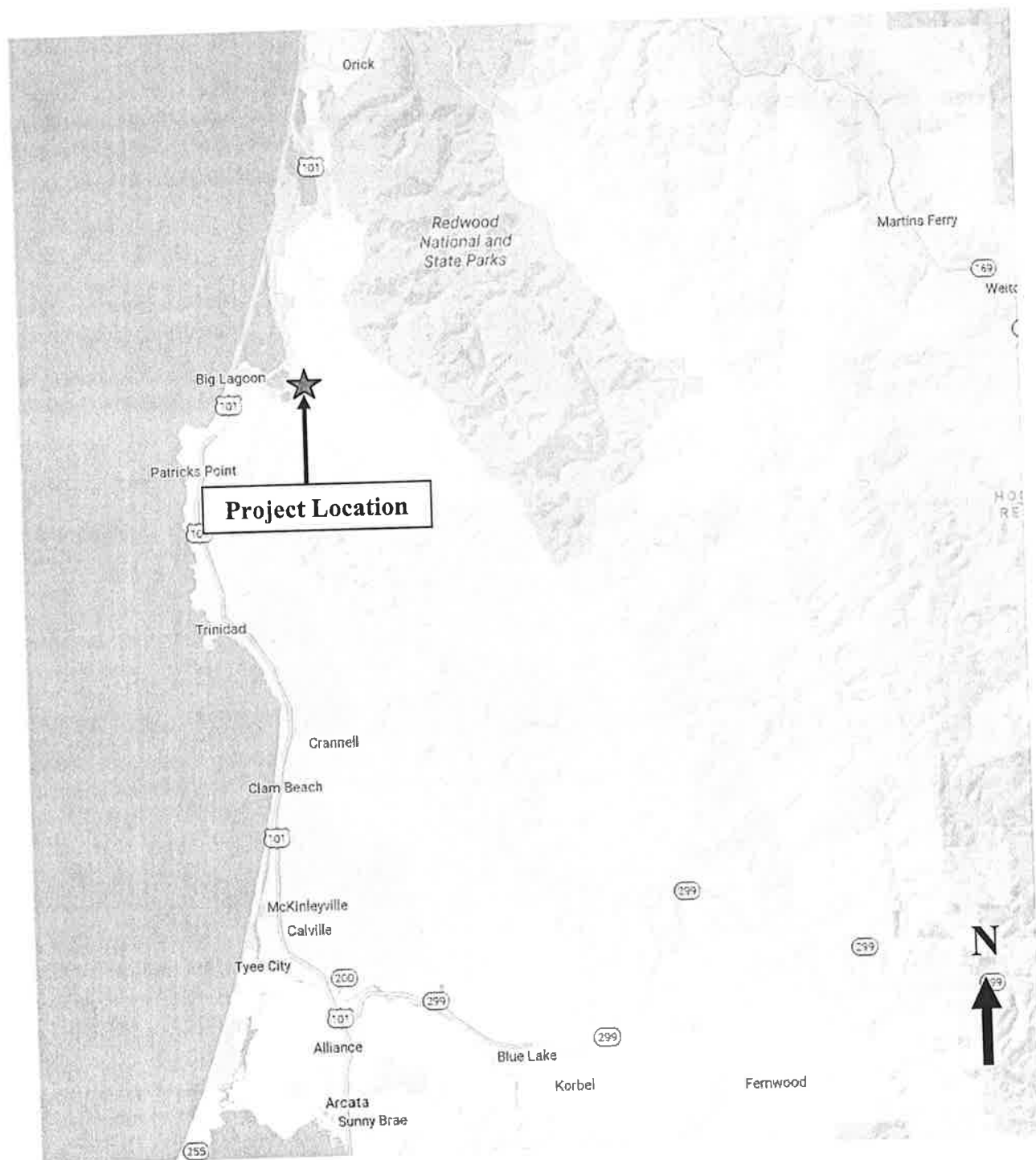
The Project area is surrounded by a much larger private land holding of Green Diamond that is used for timber production. The Harry A. Merlo State Reclamation Area, Humboldt Lagoons State Park, State Highway 101, and Big Lagoon are located to the north of the Project area.

Site zoning is Industrial General with combining zones of Flood Hazard Area and Streams and Riparian Corridor Protection. The General Plan Land Use Designation is Industrial.

### *General Environmental Setting*

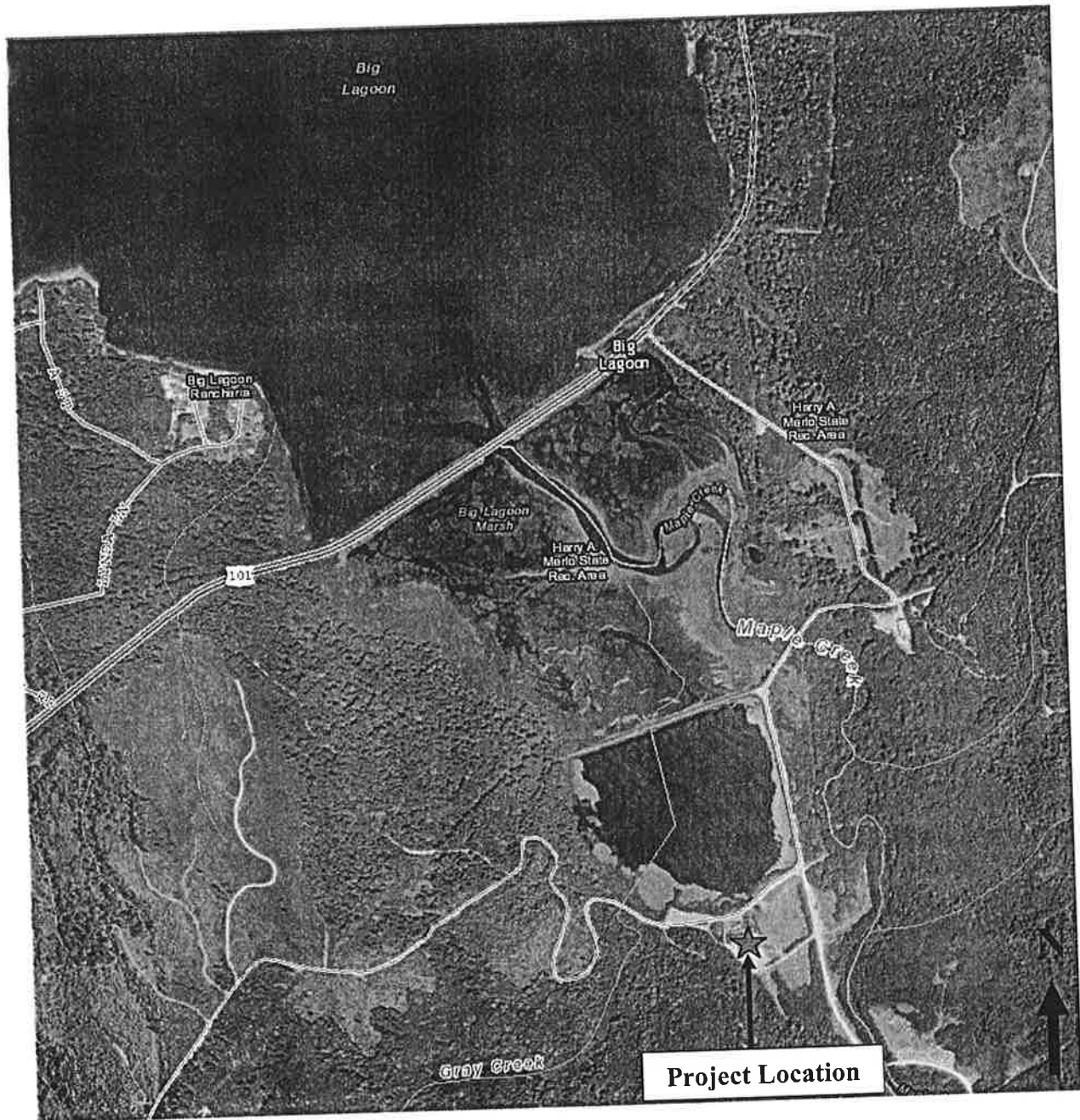
The Project area is highly disturbed by historical industrial activities, and the majority of the project site is paved. The most prominent drainage features in the vicinity of the Project are Gray Creek and Maple Creek, which are located approximately 1,000 feet from the project area to the west and east, respectively. Gray Creek and Maple Creek both flow into Big Lagoon to the north of the Project. No evidence of wetlands or other aquatic features exist within the Project area.

**Figure 1**  
**Regional Location Map**



*Source: Google Maps, December 2016.*

**Figure 2**  
**Site and Vicinity Map**



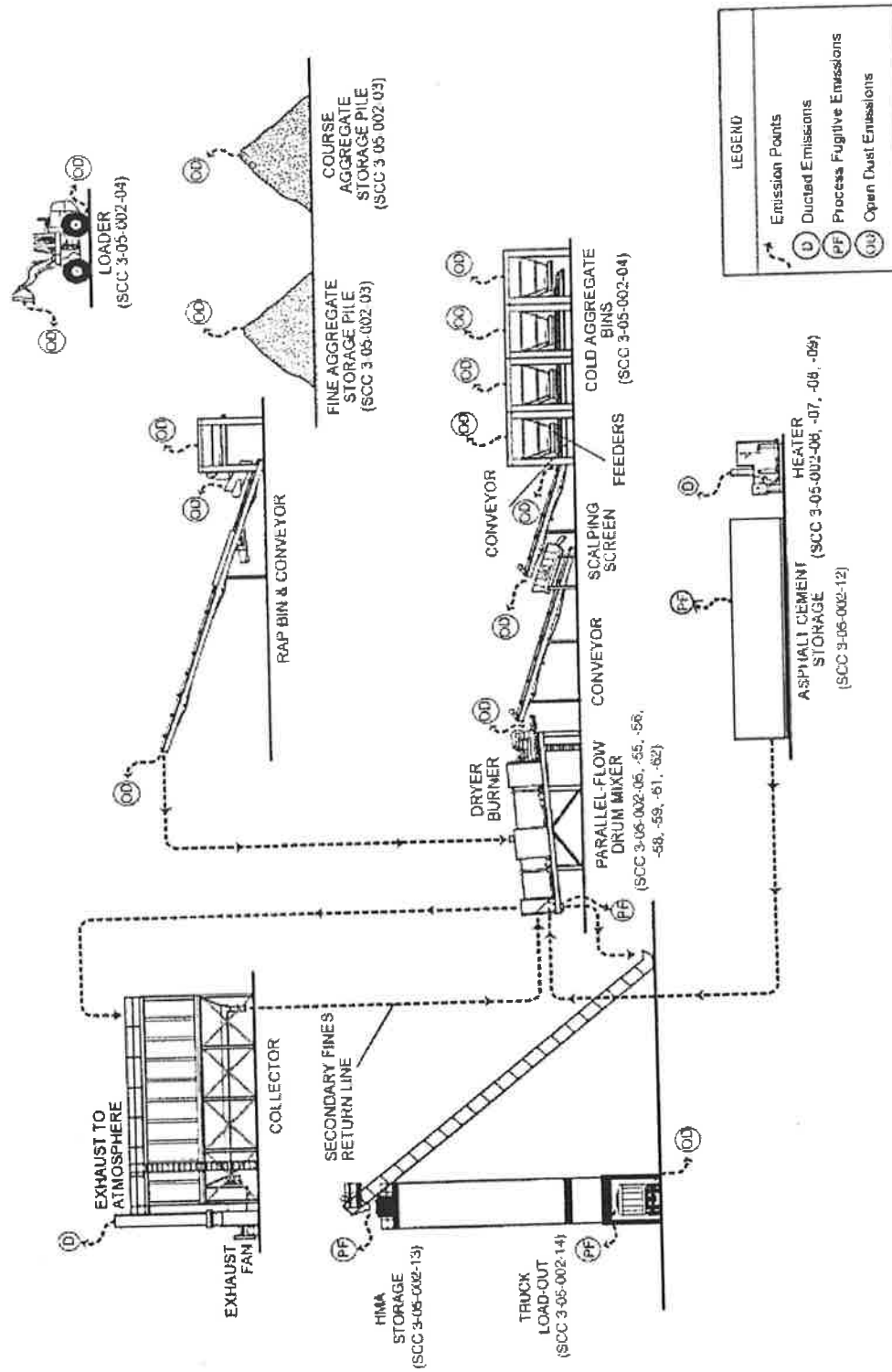
*Source: Google Earth, December 2016.*

## Project Components

The Project's primary purpose is the installation and operation of a temporary, portable asphalt plant to be used in support of a regionally important CalTrans construction project on nearby State Highway 101. The asphalt plant and ancillary equipment will include storage bins, conveyors, asphalt oil storage tanks, drying/mixing drum, storage silos, and an electricity generator (see Figure 3, General Process Flow Diagram). The plant site includes aggregate storage piles, and will involve support vehicles such as a loader, water truck, and material transport haul trucks. A one year permit is being requested (from March 2017 to March 2018) to facilitate completion of the CalTrans paving project within the construction schedule.

In addition to a Conditional Use Permit/Coastal Development Permit from Humboldt County, the Project will require an air permit to operate from the North Coast Unified Air Quality Management District, and a storm water permit from the North Coast Regional Water Quality Control Board.

**Figure 3**  
**General Process Flow Diagram**



Source: U.S. EPA AP 42, 5<sup>th</sup> Edition, Section 11.1, Hot Mix Asphalt Plants

## G. ENVIRONMENTAL CHECKLIST

The following Checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed Project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are Project-specific mitigation measures recommended, as appropriate, as part of the proposed Project.

For this checklist, the following designations are used:

**Potentially Significant Impact:** An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

**Less Than Significant with Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than-significant level.

**Less-Than-Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards.

**No Impact:** The Project would not have any impact.

## I. AESTHETICS.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>

### Discussion

- a-c. A scenic vista is typically associated with ocean views, mountains, hills, lakes, rivers, canyons, open spaces and other natural features. Scenic vistas and resources in Humboldt County include those that are visible from major public roadways and public areas that contain views of the coast, forests, open space or agricultural lands, historic districts, landmarks, and cultural sites. As such, the nearby Harry A. Merlo State Recreation Area and Big Lagoon could be considered scenic vistas. Officially designated State scenic highways do not exist within the County. However, it should be noted that State Highway 101 for its entire length in Humboldt County is eligible for designation.

The Project area is highly disturbed due to historical industrial activities, and contains remnants of the former mill site. No residences are located within the vicinity of the project (with the exception of abandoned former employee housing ~4,000 feet to the northeast), and the Project area is located within a private land holding of Green Diamond that is actively used for timber production. The Project site is not anticipated to be visible from State Highway 101 (~1 mile away), Harry A. Merlo State Recreation Area or Big Lagoon (both ~2,500 feet away) due to natural screening, and does not contain any historic buildings, rock outcroppings or trees designated for removal.

Overall, existing views of the proposed project site or in the vicinity of the project site are not expected to be significantly modified with implementation of the Project. Further, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature. Accordingly a *less than significant impact* associated with scenic vistas, scenic resources within a State scenic highway, or degradation of the existing visual character or quality of the site and surrounding area would occur.



- d. A component of the CalTrans construction project may involve paving at night to decrease the potential traffic impact to motorists on State Highway 101. Portable light towers will be utilized to provide for a safe operating environment in the Project area. Lighting will be shielded and arranged/controlled so as not to illuminate public rights-of-way or adjacent properties. It is anticipated that the project will involve approximately 48 paving days and the majority will occur at night. In addition, no residences are located in the vicinity of the project. Therefore, the proposed Project would have a *less than significant impact* related to the creation of a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

## II. AGRICULTURE AND FOREST RESOURCES.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
e. Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

### Discussion

- a,b,e. The Project site does not contain prime farmland, unique farmland, or farmland of statewide importance, and is not under a Williamson Act contract. The site is highly disturbed land that is zoned industrial and has been used for heavy industrial operations for decades. As such, the Project site is not currently used or intended to be used for agricultural purposes, and agricultural land would not be converted to non-agricultural uses as a result of the proposed Project. Because the proposed Project would not convert any existing Farmland or agricultural uses to non-agricultural uses, *no impact* related to agricultural resources would occur.
- c,d. Although the Project site is located on private land largely used by Green Diamond for timber production, the Project area itself does not contain timber resources and was historically used as a mill site. Further, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature. Therefore, the proposed Project would not result in the conversion of forest land and would not conflict with forest land, timberland, or Timberland Production zoning, and *no impact* would occur.

### III. AIR QUALITY.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	✗	<input type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>

### Discussion

- a-c. The proposed project is located in Humboldt County, which is within the North Coast Air Basin (NCAB) and the jurisdictional boundaries of the North Coast Unified Air Quality Management District (NCUAQMD). The NCUAQMD area of the NCAB is listed as attainment or unclassified for all federal and State ambient air quality standards except for the State 24-hour particulate (PM<sub>10</sub>) standard.

The asphalt plant is anticipated to produce approximately 75,000 tons during the one-year life of the project at a rate of 300 tons per hour, and 3,000 tons per day. Using these assumptions in conjunction with emission factors developed by the U.S. Environmental Protection Agency (AP 42, 5<sup>th</sup> Edition), the Project's estimated emissions have been calculated and summarized in Tables 1-4, below:

**Table 1  
Estimated Emissions from Asphalt Plant**

	Parallel Flow Drum Plant		
	Emission Factor (lbs/ton)	Emissions (lbs/day)	Annual Emissions (tons/year)
Total PM	0.033	99.0	1.2
PM <sub>10</sub>	0.023	69.0	0.9
CO	0.13	390.0	4.9
CO <sub>2</sub>	33	99,000.0	1,237.5
NO <sub>x</sub>	0.026	78.0	1.0
SO <sub>2</sub>	0.0034	10.2	0.1
Lead	6.20E-07	0.0	0.0
VOC	0.032	96.0	1.2

**Table 2**  
**Estimated Emissions from Ancillary Rubber Plant**

	Ancillary Rubber Plant		
	Emission Factor (lbs/hr)	Emissions (lbs/day)	Annual Emissions (tons/year)
Total PM	0.04	0.4	0.0
CO	0.47	4.7	0.1
CO <sub>2</sub>	786.25	7,862.5	98.3
NO <sub>x</sub>	0.82	8.2	0.1
SO <sub>2</sub>	0.01	0.1	0.0
TOC	0.06	0.6	0.0
CH <sub>4</sub>	0.01	0.1	0.0

**Table 3**  
**Estimated Emissions from Ancillary Electricity Generator**

	Ancillary Electricity Generator - 800kW (1,105 hp)		
	Emission Factor (g/hp-hr)	Emissions (lbs/day)	Annual Emissions (tons/year)
Total PM	0.024	0.6	0.0
NO <sub>x</sub>	5.18	126.2	1.6
CO	0.23	5.6	0.1

**Table 4**  
**Total Estimated Project Emissions (Criteria Pollutants)**

	Total Project Emissions – Criteria Pollutants	
	(lbs/day)	(tons/year)
PM <sub>10</sub>	70	1
CO	400	5
NO <sub>x</sub>	212	3
Lead	0.0	0.0
SO <sub>2</sub>	10	0

The NCUAQMD has not formally adopted significance thresholds. The primary pollutant of concern related to operation of the proposed asphalt plant would be PM due to the nonattainment status of the area for PM<sub>10</sub>. Based on the estimated emissions shown in Tables 1-4, above, the Project will not exceed the District's Best Available Control Technology emission thresholds for PM (80 pounds per day and 15 tons per year), and the Project's incremental contribution to PM<sub>10</sub> emissions would not be a cumulatively considerable increase.. In addition, the proposed project is required to comply with all applicable NCUAQMD rules and regulations and will obtain proper permits from the NCUAQMD prior to operation. Compliance with air quality permits will address and mitigate potential impacts from air emissions to less than significant levels for stationary source emissions. Further, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature.

#### Mitigation Measure AQ-1:

*Prior to operating the asphalt plant, the applicant shall consult with and obtain necessary air permits to operate from the NCUAQMD.*

Overall, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan, violate any air quality standard, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase of any criteria pollutant, and impacts would be *less than significant*.

- d. Some land uses are considered more sensitive to air pollution than others. Sensitive receptors are facilities where sensitive receptor population groups (i.e., children, the elderly, the ill, etc.) are likely to be located. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, playgrounds, childcare centers, retirement homes, convalescent homes, hospitals, and medical clinics. No such sensitive receptors are located in the vicinity of the Project. Therefore, exposure of sensitive receptors to substantial pollutant concentrations would not occur and a *less than significant impact* would result.
- e. No residences are located within the vicinity of the project (with the exception of abandoned former employee housing ~4,000 feet to the northeast), and the Project area is located within a private land holding of Green Diamond that is actively used for timber production. The Project site is a significant distance from nearby recreation areas (~2,500 feet away), and separated by substantial natural screening and features. Further, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature.

It should be noted that the NCUAQMD regulates objectionable odors on a complaint basis. Thus, although not anticipated, if odor complaints are made, the operator and/or the NCUAQMD would ensure that such odors are addressed and any potential odor effects reduced to less than significant. There are numerous methods, techniques, and controls that the air district can require or operators can implement that will address this issue. These could include but not be limited to, additives, control devices, atmospheric

operating restrictions, hours of operation, raw components that make up the final product. Therefore, overall, the proposed Project would not create objectionable odors, nor would the Project site be affected by any existing sources of substantial objectionable odors, and a *less-than-significant* impact related to objectionable odors would result.

#### IV. BIOLOGICAL RESOURCES.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>

#### Discussion

- a-f. The Project area is highly disturbed by historical industrial activities and the majority of the project site is paved. Trees would not be removed with implementation of the proposed project. Due to the highly disturbed nature of the Project area and lack of essential habitat, the likelihood for any special-status species to currently exist on-site is very low. Similarly, due to the highly disturbed nature of the Project site, resident or migratory wildlife corridors, or wildlife nursery sites are not expected to exist on the Project site, and the Project would not interfere with the movement of resident or migratory wildlife species.



Overall, the proposed project would not increase the potential for impacts related to affect any special-status species, riparian habitat or other sensitive natural community, federally protected wetlands, resident or migratory species, or wildlife corridors or nursery sites from existing conditions. The site is located approx. 2000 feet west of a position observation point for Northern Spotted Owl and 4,000 feet NW of the activity center per DFW. CalTrans has adopted noise restrictions to address potential impacts to sensitive species for work along the paving route (Redbook 41500 CAMF) and these are included with the current project (asphalt plant siting) as mitigation below. The project would not conflict with any local policies or ordinances protecting biological resources or the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan. The project area is owned and controlled by California Redwood Company, a sister company to Green Diamond, and is not included in the HCP. Therefore, a ***less than significant impact with mitigation*** related to biological resources would occur as a result of implementation of the proposed project.

#### **Mitigation Measure BS-1:**

*No project activities generating sound levels above 90 decibels (excluding back-up alarms) may occur between January 31 and August 20 of any year. Between August 20 and September 15 of any year, project activities generating sound levels above 90 decibels (excluding back-up alarms) will observe a daily work window beginning 2 hours post-sunrise and ending 2 hours pre-sunset. Work activities that do not generate sound levels above 90 decibels (excluding back-up alarms) can occur during all hours. Sound levels will be measured at a distance of 50 feet from the project boundary.*

## V. CULTURAL RESOURCES.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	✗	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	✗	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource on site or unique geologic features?	<input type="checkbox"/>	✗	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries.	<input type="checkbox"/>	✗	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

- a-d. The Project area is highly disturbed by historical industrial activities and the majority of the project site is paved. Further, no excavation is proposed by the Project. An increase in the potential to encounter any historical, archaeological, or paleontological resources or human remains from current conditions would not occur as a result of the proposed project. Unique geologic features do not occur on the project site. Therefore, it is unlikely that development of the Project will have an effect on significant or important archaeological or other cultural resources. In the unlikely event that unanticipated archaeological or paleontological deposits are encountered during Project-related activities, work in the immediate vicinity of the discovery must cease until the finds can be evaluated by a qualified archaeologist.

#### **Mitigation Measure CR-1:**

*If cultural materials (i.e., flaked stone artifacts, ground stone, historical glass, bone, etc.) or features (e.g., hearths, structural foundations, privies, etc.) are discovered during Project related activities, the find shall be reported immediately to the County of Humboldt Planning Department, who shall recommend a qualified historical/archaeological monitor. The area of the find shall be avoided until the monitor is on-site. The monitor shall assess and make any necessary recommendations, including any procedures to further investigate or mitigate impacts to the find as required by law.*

#### **Mitigation Measure CR-2:**

*In the event that unanticipated archaeological resources are encountered during Project operations, all earthmoving activity in the area shall cease until a qualified archaeologist can evaluate the resources. The archaeologist shall assess the significance of the resources and offer recommendations for procedures determined appropriate to either further investigate or mitigate impacts to the cultural resources encountered. If the cultural resource is associated with the past lifeways of California Native Americans,*

*evaluation, recommendations for further investigation, and/or mitigation shall be determined in consultation with the most likely descendent.*

**Mitigation Measure CR-3:**

*If paleontological resources are discovered during Project-related activities, the find shall be reported immediately to the County of Humboldt Planning Department, who shall provide direction to contact a paleontological monitor. The area of the find shall be avoided until the monitor is on-site. The monitor shall assess the find and make any necessary recommendations, including any procedures to further investigate or mitigate impacts to the find as required by law.*

**Mitigation Measure CR-4:**

*In the event that unanticipated human remains are discovered, work will immediately stop at the discovery location and any nearby area reasonably suspected to overlie adjacent human remains. The Humboldt County Coroner shall immediately be contacted to determine if the cause of death must be investigated. If the coroner has reason to believe that the remains are of Native American origin, he or she will contact the NAHC by telephone within 24 hours (PRC § 7050.5).*

**Mitigation Measure CR-5:**

*The NAHC and landowner will follow prescribed steps in PRC Section 5097.98, which include but are not limited to the following: The NAHC will notify those persons it believes to be the most likely descended from the deceased Native American. The most likely descendant may recommend to the landowner the means of treating and disposing of, with appropriate dignity, the human remains and any associated grave goods. The landowner shall ensure the immediate vicinity of the Native American human remains is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations.*

*If Native American remains are discovered, the Applicant shall work with the NAHC to develop and execute an agreement between themselves and the most likely descendant(s) of Native Americans who may be buried in the vicinity by which the human remains and associated burial items will be treated or disposed, with appropriate dignity.*

**Level of Significance After Mitigation:**

*Potential impacts to cultural resources as a result of Project activities would be **less than significant** with implementation of Mitigation Measures CR-1 through CR-5.*

## VI. GEOLOGY AND SOILS.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	✗	<input type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

### Discussion

- ai-iv,  
c-e. According to the California Department of Conservation, the Project area is not listed as affected by an Alquist-Priolo earthquake fault zone.

Implementation of the proposed project would not cause any currently stable geologic units or soils to become unstable. Expansive soils do not occur on the project site and would not pose a substantial risk to any people or structures on the project site. In addition, because the proposed project site itself is generally flat, landslides would not be expected to occur on-site. The proposed project would not include a septic system. Portable toilets would be used and maintained by a pumping service licensed in Humboldt County.

Because strong seismic ground shaking and seismic-related ground failure, including liquefaction, landslide, lateral spreading, or subsidence would not be expected to occur

on the site, and because the project would not involve a septic system, people or structures would not be exposed to potential effects associated with earthquakes, unstable soils, or soils incapable of supporting a septic system would not occur. Therefore, ***no impact*** associated with such would occur.

- b. The majority of the Project site is paved and not subject to erosion. No topsoil is anticipated to be removed as a result of the Project. Stormwater and erosion control measures will be utilized in accordance with the federal Clean Water Act and other applicable local, State, and federal requirements. Operations will comply with the National Pollutant Discharge Elimination System (NPDES) General Permit associated with industrial activities, including implementation of Best Management Practices (BMPs) in accordance with a Storm Water Pollution Prevention Plan (SWPPP). Therefore, ***with mitigation impacts would be less than significant*** for impacts related to soil erosion and the loss of topsoil would occur.

#### **Mitigation Measure GS-1:**

*Stormwater and erosion control measures will be utilized in accordance with the federal Clean Water Act and other applicable local, State, and federal requirements. Operations will comply with the National Pollutant Discharge Elimination System (NPDES) General Permit associated with industrial activities, including implementation of Best Management Practices (BMPs) in accordance with a Storm Water Pollution Prevention Plan (SWPPP).*

## VII. GREENHOUSE GAS EMISSIONS.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

### Discussion

- a,b. Emissions of greenhouse gases (GHGs) contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. A project's GHG emissions are at a micro-scale relative to global emissions, but could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact.

All past, present, and reasonably foreseeable future projects contribute to increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to future development would be primarily associated with increases of CO<sub>2</sub> and other GHG pollutants, such as methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O), from mobile sources and utility usage.

Project emissions resulting in emissions of GHGs will include process emissions from the asphalt production plant and ancillary equipment, as well incoming and outgoing haul trucks containing aggregate and asphalt product. However, these emissions would have occurred in any event as a result of the requirements of the Caltrans construction project. By providing an asphalt plant in close proximity to the project, an overall reduction in regional vehicle miles traveled (VMT) will occur by minimizing the number of trucks required and haul distance to the job (see Figure 4 – Caltrans paving project location).

Although the proposed Project would result in a slight increase in the number of daily truck trips associated with the Project site itself, a reduction in regional VMT would be expected to occur as a result of locating the asphalt plant in close proximity to the delivery point. Further, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature. Overall, the Project would not conflict with any plan, policy, or regulation adopted for the purpose of reducing GHG emissions, would not create an increase in GHG emissions that would impact the environment, and a *less than significant impact* related to GHG emissions and global climate change would occur.

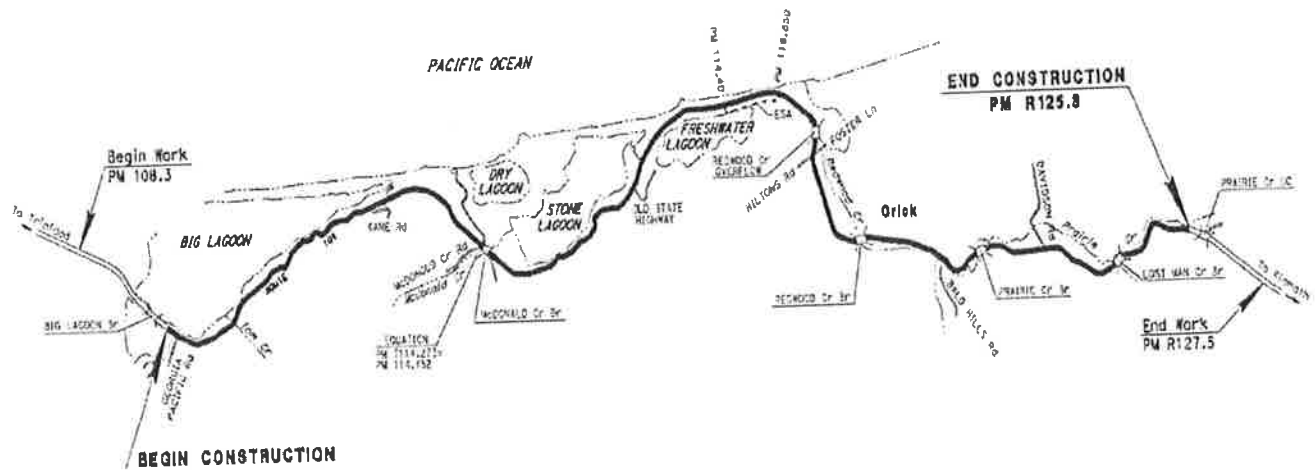


Figure 4. Caltrans paving project location (Source: Project Redbook 41500 CAMF) .



### VIII. HAZARDS AND HAZARDOUS MATERIALS.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	✗	<input type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	✗	<input type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
h. Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

### Discussion

a-c. No residences are located within the vicinity of the project (with the exception of abandoned former employee housing ~4,000 feet to the northeast), and the Project area is located within a private land holding of Green Diamond that is actively used for timber production. The Project site is a significant distance from nearby recreation areas (~2,500 feet away), and separated by substantial natural screening and features. Public health and safety precautions including California Occupational Health and Safety (Cal-OSHA) rules, regulations and standards will be employed to protect both the public and on-site employees. The project will involve the use of petroleum products, including

diesel fuel, gasoline, asphalt oil, and common lubricants, oils, and hydraulic fluids. Potential environmental impacts could occur as a result of miscellaneous spills or leaks of the material. In order to minimize potential impacts, the petroleum products will be stored in proper containment or be dual-walled, consistent with EPA requirements. Additionally, site activities will be conducted in accordance with an HMBP Plan, SPCC Plan and SWPPP. Customary BMPs, including wattles, bales, retention basins, and silt fence will be used to control off-site runoff. An updated plot plan shows the locations of proposed BMPs and site drainage patterns. The project will comply with applicable regulations regarding hazardous materials, including development of a Hazardous Materials Business Plan (HMBP) consistent with 19 CCR Section 2729, if on-site storage of threshold quantities occur. An HMBP identifies proper storage, handling, and notification requirements for the management of hazardous materials. Finally, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature. As a result, a *less than significant impact with mitigation* related to creating a significant hazard to the public or the environment associated with hazardous materials would occur.

- d. The Project site is not included on the list of hazardous materials sites complied pursuant to Government Code Section 65962.5. Therefore, *no impact* would result from implementation of the proposed Project.
- e,f. The Project is not within two miles of a public airport and is not within an airport land use plan. Therefore, the proposed Project would not result in a safety hazard for people residing or working in the Project area, and *no impact* would occur.
- g. The proposed Project would not modify the access roadways or the existing street system. Therefore, interference with any adopted emergency response plan or emergency evacuation plan would not occur, and *no impact* would occur.
- h. The Project site is highly disturbed and the majority of the site is paved. The proposed Project would not increase the potential for people or structures to be exposed to risks involving wildland fires from existing conditions, and *no impact* would occur.

#### **Mitigation Measure H-1:**

The applicant shall develop a Hazardous Materials Business Plan (HMBP) consistent with 19 CCR Section 2729, if on-site storage of threshold quantities occur. The HMBP shall identify proper storage, handling, secondary containment and notification requirements for the management of hazardous materials.

## IX. HYDROLOGY AND WATER QUALITY.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year floodplain structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a,f. The Project will comply with the National Pollutant Discharge Elimination System General Permit ("NPDES General Permit") requirements, which involve preparation and implementation of a SWPPP, including BMPs to control erosion, sedimentation, and pollution. The majority of the Project site is paved and not subject to erosion. No

excavation, or discharge of wastes to land is involved with the Project. The project will involve the use of petroleum products, including diesel fuel, gasoline, asphalt oil, and common lubricants, oils, and hydraulic fluids. Potential environmental impacts could occur as a result of miscellaneous spills or leaks of the material. In order to minimize potential impacts, the petroleum products will be stored in proper containment or be dual-walled, consistent with EPA requirements. Additionally, site activities will be conducted in accordance with an HMBP Plan, SPCC Plan and SWPPP. Customary BMPs, including wattles, bales, retention basins, and silt fence will be used to control off-site runoff. It is not anticipated that the Project would violate any water quality standards or waste discharge requirements or otherwise degrade water quality, and impacts would be *less than significant with mitigation*.

- b. The Project does not involve groundwater pumping or addition of impervious surfaces. Accordingly, the proposed Project would not deplete groundwater supplies or interfere substantially with groundwater recharge, and a *less than significant impact* is anticipated.
- c-e. The majority of the site is paved and not subject to erosion. Common storm water BMPs such as hay bales and straw wattles will be used to control surface runoff. Existing drainage patterns will be maintained. Because the proposed Project would not substantially alter the existing drainage pattern of the site or area, create or contribute runoff that would exceed the capacity of existing stormwater drainage systems, or increase sources of polluted runoff, the proposed Project would have a *less-than-significant* impact related to surface runoff.
- g. The Project does not involve the development of housing, and thus, would have *no impact* relative to the placement of housing within a flood hazard area.
- h, i. The Project area is mapped as being subject to inundation by the 100-year flood event. It should be noted that the FEMA flood map identified existing levees protecting the Project area; however, the FEMA flood map indicates that they have not been accredited, and therefore are not shown as providing protection from the 100-year flood event. The asphalt plant and ancillary equipment will not impede or redirect flood flows in any substantial form, and the project will not expose people to a significant risk of flooding. No residences are located within the vicinity of the project (with the exception of abandoned former employee housing ~4,000 feet to the northeast), and the Project area is located within a private land holding of Green Diamond that is actively used for timber production. The Project site is a significant distance from nearby recreation areas (~2,500 feet away). Further, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature. Potential flooding impacts can be mitigated through operational restrictions during the flood season. As a result, the proposed Project would have a *less than significant impact with mitigation* associated with flooding would occur.
- j. According to the California Department of Conservation, the Project site is not located in a tsunami inundation area. The Project site is not anticipated to be impacted by seiches

due to the relatively small size of Big Lagoon, as well as the surrounding levee. Because the Project site is generally flat and stormwater and erosion control measures will be implemented, mudflows would not be expected to occur on the site. Therefore, because the proposed Project would not be threatened by a seiche, tsunami, or mudflow, **no impact** from such phenomena would occur.

### Mitigation Measure H-1:

*The Project shall comply with the National Pollutant Discharge Elimination System General Permit ("NPDES General Permit") requirements, which involve preparation and implementation of a SWPPP, including BMPs to control erosion, sedimentation, and pollution. The SWPPP and/BMPs shall address sediment from materials stockpiles washed by rainwater into adjacent creeks or Big Lagoon.*

### Mitigation Measure H-2:

*For work within the FEMA mapped flood zone the application shall implement relocation of the tanks and other hazardous material storage containers to outside of the 100-year floodplain during the winter season. The "temporary" batch plant must be off the site by October 29<sup>th</sup> to avoid Flood Regulations.*

<b>X. LAND USE AND PLANNING.</b> <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

### Discussion

- The Project area is located within a private land holding of Green Diamond that is actively used for timber production. The Project would not divide any established communities and **no impact** would occur.

- b. The Project area is zoned Industrial General with a General Plan Designation of Industrial, and was historically used by Green Diamond (and its predecessors) as a mill site. The proposed Project would be consistent with the zoning and General Plan designation for the site. Therefore, the proposed Project would not conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating environmental effects, and **no impact** would occur.
- c. The Project site does not fall within the jurisdiction of any adopted habitat conservation plans or natural community conservation plans, nor would it affect the implementation of any such plans that may be in effect beyond the boundaries of the Project site. Therefore, **no impact** regarding a conflict with an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan would occur.

XI. MINERAL RESOURCES.		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
<i>Would the project:</i>					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
b.	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

### Discussion

- a,b. Implementation of the Project would not result in the loss of availability of a known or delineated mineral resource. Therefore, **no impact** to mineral resources would occur as a result of the proposed Project.

## XII. NOISE.

*Would the project result in:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

### Discussion

- a,c,d. No residences are located within the vicinity of the project (with the exception of abandoned former employee housing ~4,000 feet to the northeast), and the Project area is located within a private land holding of Green Diamond that is actively used for timber production. The Project site is a significant distance from nearby recreation areas (~2,500 feet away), and separated by substantial natural screening and features. The predominant noise feature impacting the recreation areas is traffic noise from State Highway 101, which would not change with implementation of the Project. Further, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature.

Overall, no exposure of persons or generation of noise levels in excess of standards, nor a substantial temporary, periodic, or permanent increase in ambient noise levels in the project vicinity above existing levels would occur as a result of the proposed project. Therefore, impacts related to noise would be considered *less than significant*.

- b. Construction vibration levels resulting from equipment used in similar projects have been found to not be perceptible to receivers beyond 300 feet from the Project site. As the



nearest potential receptors would be located over 2,500 feet from any on-site equipment activities, the proposed Project would not generate significant levels of vibration at any nearby receivers. As a result, the proposed Project would not expose persons to or generate any groundborne vibration that would be considered excessive, and associated impacts would be considered *less than significant*.

- e,f. The proposed project is not within two miles of a public airport and is not within an airport land use plan. Therefore, the proposed project would not be exposed to excessive air traffic noise, and *no impact* would occur.

### XIII. POPULATION AND HOUSING.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

#### Discussion

- a-c. The proposed Project would not include the direct creation of new housing nor displace any existing housing or people. Because the proposed Project would not result in population growth in the area, does not involve the creation of, or necessity for, new housing, and would not displace existing housing or people, *no impact* related to population and housing would occur.

#### XIV. PUBLIC SERVICES.

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
e. Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

#### Discussion

- a,b. The demand for fire and police protection services at the Project site would not change with implementation of the proposed Project. Therefore, existing services would be adequate to serve the proposed Project, and **no impact** related to fire and police protection services would occur.
- c-e. The proposed Project does not involve the creation of new housing and would not result in population growth in the area. Therefore, an increase in demand for schools, parks, or other local public facilities would not occur as a result of the proposed Project, and **no impact** would occur.

**XV. RECREATION.**

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

**Discussion**

- a,b. The Project does not involve the creation of new housing and would not result in population growth in the area. Similarly, new recreational facilities are not proposed as part of the Project and the demand for such facilities would not increase with implementation of the Project. Therefore, *no impact* related to recreation would occur.

## XVI. TRANSPORTATION/CIRCULATION.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less- Than- Significant Impact	No Impact
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	✗	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
d. Substantially increase hazards due to a design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
f. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

### Discussion

- a,b. Project truck trips will involve incoming and outgoing haul trucks containing aggregate and asphalt products. By providing an asphalt plant in close proximity to the project, an overall reduction in regional vehicle miles traveled (VMT) will occur by minimizing the number of trucks required and haul distance to the job. At a maximum anticipated production of 3,000 tons of asphalt per day, a total of 120 trips (one-way) will occur. Access is provided by existing internal haul roads on Green Diamond property, and an existing encroachment directly onto State Highway 101. The haul roads are designed to accommodate heavy truck traffic, and the level of truck traffic generated by the Project will be consistent with historical variation in production levels from heavy trucks hauling timber from the site.

Although the proposed Project would result in a slight increase in the number of daily truck trips associated with the Project site itself, a reduction in regional VMT would be expected to occur as a result of locating the asphalt plant in close proximity to the delivery point. Further, the project is only being requested for a one-year time-frame and any potential impacts would be temporary in nature. Because the Project would not cause an increase in traffic that would be considered substantial, and would not exceed any level of service standards, impacts related to transportation and circulation would be *less than significant*.

- c. The proposed Project is not within two miles of a public airport and is not within an airport land use plan or the vicinity of a private airstrip. Therefore, the proposed Project would not result in a change in air traffic patterns, and *no impact* would occur.
- d,e. Primary access to the Project area will occur via existing internal haul roads on Green Diamond property designed to accommodate heavy truck traffic. Therefore, the Project would not increase hazards due to a design feature, such as a sharp curve or dangerous intersection, incompatible uses, such as farming equipment, or inadequate emergency access. Thus, the proposed Project would have *no impact* related to emergency access and hazardous design features.
- f. Because the number of employees or population in the area would not increase with implementation of the proposed Project, an increase in new transit riders would not result. In addition, the Project would not conflict with any adopted policies supporting alternative transportation. Therefore, *no impact* related to alternative transportation would occur.

## XVII. UTILITIES AND SERVICE SYSTEMS.

*Would the project:*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than- Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✗

### Discussion

- a,e. On-site portable toilets would be used and maintained by a pumping service licensed in Humboldt County. The proposed equipment would not result in any wastewater generation. Therefore, the proposed project would have ***no impact*** on wastewater treatment capacity or wastewater treatment requirements.
- b,d. Water usage associated with Project activities will be limited to that needed for dust control and will be serviced by water trucks. The Project would not require or result in the construction of new or expansion of existing water facilities. Therefore, ***no impact*** would occur as a result of implementation of the proposed Project.
- c. Routine storm water Best Management Practices will be implemented to control runoff from the Project area. Construction of new storm water drainage facilities or expansion of existing facilities would not be required as a result of the proposed Project, and ***no impact*** would occur.



- f,g. The Project will generate minor amounts of common municipal waste that will be properly stored and disposed of at permitted Class I, II and/or III solid waste landfills that have sufficient capacity to meet the Project's needs. Activities at the site would comply with Federal, State and local solid waste statutes and regulations. Therefore, implementation of the proposed Project would not result in any significant changes to solid waste generation or disposal from existing conditions, and *no impact* related to solid waste services would result.

### XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion

- This MND incorporates mitigation measures that would reduce potential air quality impacts to less-than-significant levels. Similarly, mitigation measures have been included in this MND to ensure the site is adequately preserved in the unlikely event that unanticipated buried archaeological deposits are encountered during Project-related work activities. Therefore, the proposed Project would have *less-than-significant* impacts with mitigation incorporated to the overall quality of the environment.
- The Project would not cause an increase in the cumulative impacts in the area. With implementation of the mitigation measures required in this MND, Project-level impacts would not be cumulatively considerable and the Project's incremental contribution to cumulative impacts would be *less-than-significant*.
- With implementation of the mitigation measures required in this MND, substantial adverse effects on human beings, either directly or indirectly, would not occur as a result of the implementation of the proposed Project, a *less-than-significant* impact would result.

**HUMBOLDT COUNTY  
PLANNING & BUILDING DEPARTMENT**

**MITIGATION MONITORING REPORT FOR THE**

**Mercer Fraser Co.** APN 517-155-007 and 517-155-008 (Big Lagoon area)  
CDP-17-001 and CUP-17-004

**PROJECT:**

**Project Description:** The applicant requests a Coastal Development Permit and Conditional Use Permit for siting a temporary portable asphalt plant on property owned by Green Diamond Company near Big Lagoon in support of a regionally important Caltrans construction project on Highway 101. The proposed location is industrially zoned and has historically been used for heavy industrial activities, including a lumber mill site. The asphalt plant and ancillary equipment includes storage bins, storage piles, and will involve support vehicles such as a loader, water truck, and material transport haul trucks. A one year permit is requested from March 2017 to March 2018 to facilitate completion of the Caltrans paving project within the construction schedule.

**PROJECT LOCATION:** The project is located in Humboldt County, in the Big Lagoon area, on the east side of US Highway 101, approximately 1.44 miles southeast from the intersection of US Highway 101 and LP Mill Road, on the properties known as 109465 St Hwy 101 and known to be in the SE 1/4 of Section 19 Township 09N Range 01E.

**ASSESSOR'S PARCEL NUMBER:** 517-155-007 and 517-155-008

Mitigation measures were incorporated into conditions of project approval for the above referenced project. The following is a list of these measures and a verification form that the conditions have been met. For conditions that require on-going monitoring, attach the Monitoring Form for Continuing Requirements for subsequent verifications.

## **ON-GOING MITIGATION MEASURES**

### **Air Quality**

#### **Mitigation Measure AQ-1:**

*Prior to operating the asphalt plant, the applicant shall consult with and obtain necessary air permits to operate from the NCUAQMD.*

<b>Implementation Time Frame</b>	<b>Monitoring Frequency</b>	<b>Date Verified</b>	<b>To Be Verified By</b>	<b>Compliance Yes   No</b>	<b>Comments / Action Taken</b>
Project Operations	Continuous		NCUAQMD		

### **Biological Resources**

#### **Mitigation Measure BS-1:**

*No project activities generating sound levels above 90 decibels (excluding back-up alarms) may occur between January 31 and August 20 of any year. Between August 20 and September 15 of any year, project activities generating sound levels above 90 decibels (excluding back-up alarms) will observe a daily work window beginning 2 hours post-sunrise and ending 2 hours pre-sunset. Work activities that do not generate sound levels above 90 decibels (excluding back-up alarms) can occur during all hours. Sound levels will be measured at a distance of 50 feet from the project boundary.*

<b>Implementation Time Frame</b>	<b>Monitoring Frequency</b>	<b>Date Verified</b>	<b>To Be Verified By</b>	<b>Compliance Yes   No</b>	<b>Comments / Action Taken</b>
Project Operations	Continuous		HCP&BD		

## **Cultural Resources**

### **Mitigation Measure CR-1:**

*If cultural materials (i.e., flaked stone artifacts, ground stone, historical glass, bone, etc.) or features (e.g., hearths, structural foundations, privies, etc.) are discovered during Project related activities, the find shall be reported immediately to the County of Humboldt Planning Department, who shall recommend a qualified historical/archaeological monitor. The area of the find shall be avoided until the monitor is on-site. The monitor shall assess and make any necessary recommendations, including any procedures to further investigate or mitigate impacts to the find as required by law.*

### **Mitigation Measure CR-2:**

*In the event that unanticipated archaeological resources are encountered during Project operations, all earthmoving activity in the area shall cease until a qualified archaeologist can evaluate the resources. The archaeologist shall assess the significance of the resources and offer recommendations for procedures determined appropriate to either further investigate or mitigate impacts to the cultural resources encountered. If the cultural resource is associated with the past lifeways of California Native Americans, evaluation, recommendations for further investigation, and/or mitigation shall be determined in consultation with the most likely descendent.*

### **Mitigation Measure CR-3:**

*If paleontological resources are discovered during Project-related activities, the find shall be reported immediately to the County of Humboldt Planning Department, who shall provide direction to contact a paleontological monitor. The area of the find shall be avoided until the monitor is on-site. The monitor shall assess the find and make any necessary recommendations, including any procedures to further investigate or mitigate impacts to the find as required by law.*

### **Mitigation Measure CR-4:**

*In the event that unanticipated human remains are discovered, work will immediately stop at the discovery location and any nearby area reasonably suspected to overlie adjacent human remains. The Humboldt County Coroner shall immediately be contacted to determine if the cause of death must be investigated. If the coroner has reason to believe that the remains are of Native American origin, he or she will contact the NAHC by telephone within 24 hours (PRC § 7050.5).*

#### Mitigation Measure CR-5:

The NAHC and landowner will follow prescribed steps in PRC Section 5097.98, which include but are not limited to the following: The NAHC will notify those persons it believes to be the most likely descended from the deceased Native American. The most likely descendant may recommend to the landowner the means of treating and disposing of, with appropriate dignity, the human remains and any associated grave goods. The landowner shall ensure the immediate vicinity of the Native American human remains is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations.

If Native American remains are discovered, the Applicant shall work with the NAHC to develop and execute an agreement between themselves and the most likely descendant(s) of Native Americans who may be buried in the vicinity by which the human remains and associated burial items will be treated or disposed, with appropriate dignity.

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance Yes   No	Comments / Action Taken
Project Operations	Continuous		HCP&BD		

#### Geology and Soils

#### Mitigation Measure GS-1:

Stormwater and erosion control measures will be utilized in accordance with the federal Clean Water Act and other applicable local, State, and federal requirements. Operations will comply with the National Pollutant Discharge Elimination System (NPDES) General Permit associated with industrial activities, including implementation of Best Management Practices (BMPs) in accordance with a Storm Water Pollution Prevention Plan (SWPPP).

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance Yes   No	Comments / Action Taken

Project Operations	Continuous		RWQCB		
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## Hazards and Hazardous Materials

### Mitigation Measure H-1:

*The applicant shall development of a Hazardous Materials Business Plan (HMBP) consistent with 19 CCR Section 2729, if on-site storage of threshold quantities occur. The HMBP shall identify proper storage, handling, secondary containment and notification requirements for the management of hazardous materials.*

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance Yes   No	Comments / Action Taken
Project Operations	Continuous		HCP&BD		

## Hydrology and Water Quality

### Mitigation Measure H-1:

*The Project shall comply with the National Pollutant Discharge Elimination System General Permit ("NPDES General Permit") requirements, which involve preparation and implementation of a SWPPP, including BMPs to control erosion, sedimentation, and pollution. The SWPPP and/BMPs shall address sediment from materials stockpiles washed by rainwater into adjacent creeks or Big Lagoon.*

### Mitigation Measure H-2:

*For work within the FEMA mapped flood zone the application shall implement relocation of the tanks and other hazardous material storage containers to outside of the 100-year floodplain during the winter season. The "temporary" batch plant must be off the site by October 29<sup>th</sup> to avoid Flood Regulations.*

Implementation Time Frame	Monitoring Frequency	Date Verified	To Be Verified By	Compliance		Comments / Action Taken
				Yes	No	
Project Operations	First Winter and as necessary		RWQCB & HCP&BD			

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HCP&BD = Humboldt County Planning and Building Department  
CDF&W = California Department of Fish and Wildlife  
NCUAQMD = North Coast Unified Air Quality Management District  
RWQCB = Regional Water Quality Control Board  
CHERT = County of Humboldt Extraction Review Team